

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

LORDSTOWN MOTORS CORP., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 23-10831 (MWF)

(Jointly Administered)

**DECLARATION IN SUPPORT OF RETENTION OF  
FOLEY & LARDNER LLP AS PROFESSIONAL UTILIZED IN ORDINARY  
COURSE OF BUSINESS**

I, JONATHAN E. MOSKIN, pursuant to 28 U.S.C. § 1746, hereby declare the following is true to the best of my knowledge, information, and belief:

1. I am a partner of the law firm of Foley & Lardner LLP, located at 90 Park Avenue, New York NY 10016 (the “Firm”), which has been retained by one or more of the debtors or debtors in possession (collectively, the “**Debtors**”), in the above captioned Chapter 11 Cases, in the ordinary course of the Debtors’ businesses. The Debtors wish to retain the Firm to continue providing ordinary course services during the Chapter 11 Cases, and the Firm has consented to provide such services. This Declaration is submitted in compliance with the Order (A) Authorizing Retention and Payment of Professionals Utilized in the Ordinary Course of Business and (B) Granting Other Related Relief (the “**Ordinary Course Professionals Order**”). I have reviewed the Ordinary Course Professionals Order, and I understand the limitations on compensation and reimbursement under such order.

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<sup>1</sup> The Debtors and the last four digits of their respective taxpayer identification numbers are: Lordstown Motors Corp. (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101). The Debtors’ service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.

2. On August 9, 2021, the Debtors retained the Firm to provide legal services (the “Services”). The Services include the following: patent prosecution and advice relating thereto.

3. The Firm may have performed services in the past two (2) years, may currently perform services, and may perform services in the future in matters unrelated to the Chapter 11 Cases for persons that are parties in interest in the Chapter 11 Cases, including as summarized here:

Party	Former Client	Current Client	Not a Client	Notes
Amphenol Interconnect Products Corporation			x	
AP Expert Group LLC			x	
AT&T MOBILITY-CC		x		
Barry L. Leonard and Company Inc. dba Trans Machine Technologies			x	
Bossard Inc.			x	
CEVA Contract Logistics US Inc		x		
Cognizant Mobility, Inc			x	
Elaphe Propulsion Technologies LTD		x		
Fiberdyne Research Pty Ltd			x	
Filec Production SAS - Amphenol			x	
Foxconn EV System LLC			x	
Greatch Integration (M) SDN.BHD.			x	
Harco Manufacturing Group, LLC			x	
HRB Industries Corp.			x	
JVIS USA LLC			x	
Laval Tool & Mould LTD.			x	
Lordstown EV Corp.			x	DPL Merger Sub Corp. (n/k/a Lordstown EV Corporation)
Lordstown EV Sales LLC			x	
Lordstown Motors Corp.		x		DiamondPeak Holdings Corp. (n/k/a Lordstown Motors Corp.)

Party	Former Client	Current Client	Not a Client	Notes
Marelli North America Inc dba CalsonicKansel North America Inc		x		
Meta Systems SpA			x	
MIH EV Design, LLC			x	
Nexteer Automotive Corporation		x		
Pektron EV Limited			x	
Proper Group Holdings LLC dba Proper Tooling LLC			x	
Quality MetalCraft Inc.			x	
SA Automotive LTD		x		
Sharp Dimension Inc			x	
St. Clair Technologies Inc.			x	
Superior Cam Inc		x		
Technology Solutions Anywhere LLC dba Readysoft			x	
Teijin Automotive Technologies, Inc		x		
The Timken Corporation			x	
Three-Dimensional Services dba 3 Dimensional Services Group			x	
Thyssenkrupp Materials NA, Inc. dba Ken-Mac Metals or thyssenkrupp Steel Services	x			
Ventra Group Co. dba Flex-N-Gate Bradford		x		
VIA Optronics LLC			x	
Zetwerk Manufacturing USA, Inc.			x	
ZF Passive Safety Systems US Inc.		x		

4. As part of its customary practice, the Firm is retained in cases, proceedings, and transactions involving many different parties, some of whom may represent or be employed by the Debtors, claimants, and parties in interest in the Chapter 11 Cases. The Firm does not perform services for any such person in connection with the Chapter 11 cases, or have any relationship with any such person, their attorneys, or their accountants that would be adverse to the Debtors or their estates.

5. Neither I nor any principal, partner, director, or officer of, or professional employed by, the Firm has agreed to share or will share any portion of the compensation to be received from the Debtors with any other person other than the principal and regular employees of the Firm.

6. Neither I nor any principal, partner, director, or officer of, or professional employed by, the Firm, insofar as I have been able to ascertain, holds or represents any interest adverse to the Debtors or their estates with respect to the matter(s) upon which the Firm is to be employed.

7. The Firm intends to bill the Debtors for professional services rendered in connection with the Chapter 11 Cases, in accordance with the Ordinary Course Professionals Order, with such bill to include compensation for services based on the hourly rates set forth below, plus reimbursement of actual and necessary expenses and other charges incurred by the Firm. The principal attorneys and paralegals/other professionals/employees designated to represent the Debtors and their current standard rates are:

<b>Attorney and Paralegals/Other Professionals/Employees</b>	<b>Standard Rates</b>
Jonathan Moskin, Partner	\$1,250.00
Kiri Lee Sharon, Partner	\$700.00
Brett P. Belden, Partner	\$700.00
Bradley Roush, Partner	\$800.00
Sarah Wilson, Patent Agent	\$315.00
Luisa Meyer, Patent Law Clerk	\$315.00
Pakin Pongcheewin, Patent Law Clerk	\$325.00
Allison Zweng, Associate	\$405.00
Kyle Rule, Patent Law Clerk	\$360.00
Stella M. Walker, Paralegal	\$375.00
Fadi B. Istelinides, Patent Agent	\$265.00

8. The rates set forth above are subject to periodic adjustments to reflect economic and other conditions. Such rates are the Firm's standard rates for work of this nature. The rates are set at a level designed to fairly compensate the Firm for the work of its attorneys and paralegals/other professionals and to cover fixed and routine overhead expenses.

9. It is the Firm's policy to charge its clients for all other expenses incurred in connection with a client's representation. The expenses charged to clients include, among other things, patent drawings, patent search vendor fees, legal research, official fees payable to patent offices, foreign patent agent professional fees, legalization fees such as for notaries and apostilles, and shipping expenses. The Firm will charge the Debtors for these expenses in a manner and at rates consistent with charges made generally to the Firm's other clients.

10. No representations or promises have been received by the Firm, nor by any principal, partner, director, officer, or professional thereof, as to compensation in connection with the Chapter 11 Cases other than in accordance with the provisions of the Bankruptcy Code.

11. As of June 27, 2023 (the "**Petition Date**"), the Debtors owed the Firm \$58,303.20 for fees and expenses incurred for prepetition services.

12. As of the Petition Date, the Firm held a prepetition retainer of \$24,125.10.

13. The Firm does keep time records in one-tenth of an hour increments in the ordinary course of business.

14. As of the Petition Date, the Firm was not party to an agreement for indemnification with the Debtors.

15. The Firm is conducting further inquiries regarding its retention by any creditors of the Debtors, and upon conclusion of such inquiries, or at any time during the period of its retention, if the Firm should discover any facts bearing on the matters described herein, the Firm will supplement the information contained in this Declaration.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 14, 2023  
New York, New York

Respectfully submitted,

By:

/s/ Jonathan E. Moskin

Jonathan E. Moskin

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